IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.B.KOSHY
&
THE HONOURABLE MR. JUSTICE K.PADMANABHAN NAIR

TUESDAY, THE 21ST NOVEMBER 2006 / 30TH KARTHIKA 1928

WP(C).No. 27845 of 2006(S)

AGAINST THE ORDER DATED 5/3/06 IN IA.1370, & 1371/06 IN OS.513/2006 of FAMILY COURT, PALAKKAD
.....

PETITIONER:

B.INDHU, D/O. BHASKARAN,
RESIDING AT BHASKAR NILAYAM, KUNDUKAD,
KALIPPARA, KOTTEKKAD, PALAKKAD TALUK.

BY ADV. SRI.V.CHITAMBARESH
SRI.T.C.SURESH MENON
SRI.SREEKANTH.K.R
SRI.SUNIL J.CHAKKALACKAL
SRI.JIBU P THOMAS

RESPONDENTS:

M.CHENTHAMARAKSHAN, S/O. LATE
T.P.MADHAVAN, RESIDING AT PERIYA PADAM KALAM,
ETHANUR P.O., CHITTUR TALUK, PALAKKAD DISTRICT.

BY ADV. SRI.JACOB SEBASTIAN

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 21/11/2006, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)NO.27845/2006

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: ORIGINAL COPY OF THE COMMON ORDER IN I.A.NOS.1370/2006 AND 1371/2006 ON THE FILE OF THE FAMILY COURT, PALAKKAD DATED 10.10.2006.

EXT.P2: TRUE COPY OF THE FULL TEXT OF THE JUDGMENT IN (2005) 12 SCC 452 DATED -NIL-.

// TRUE COPY //

TKS

J.B.KOSHY & K.PADMANABHAN NAIR, JJ.

W.P.(C)NO.27845 OF 2006

Dated 21st November, 2006

JUDGMENT

Koshy,J.

This is a petition filed by the mother of a child against Ext.P1 order dismissing the interlocutory applications to reopen the case for evidence and to receive the witness list and proceed with the case. Counsel for the respondent appears and submits that they have no serious objection in hearing the matter on merits. We are of the view that family disputes have to be decided with utmost cautious. In the above circumstances, the impugned order is set aside and both I.As are allowed. Parties are directed to appear before the Family Court on 12.12.2006 and Family Court is directed to dispose of the matter as early as possible. Both parties shall not prolong the matter.

The writ petition is disposed of accordingly.

J.B.KOSHY
JUDGE

K.PADMANABHAN NAIR
JUDGE

tks